

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:10CR146
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
RICHARD COSTANZO, <i>et al.</i> ,)	
)	
Defendant.)	

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 317). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On September 8, 2011, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. Section 371, 18 U.S.C. §§ 981(a)(1)(C) and 2428(a), 28 U.S.C. § 2461(c), and 21 U.S.C. § 853(p), based upon the Defendants' pleas of guilty to Count I and the Forfeiture Allegation of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendants' interests in the following properties were forfeited to the United States:

- a. The real property known as Lot 13, Shoal Pointe, Carter Lake, Iowa, locally described as 1013 Shoal Pointe Drive, Carter Lake, Iowa, 51510;
- b. A 2004 Cadillac Escalade, VIN 3GYEK62NX4G305559, Iowa license plate MOB MAN;
- c. A 2008 Nissan Altima, VIN 1N4BL21E88N489001, Nebraska license plate NE RHP139;
- d. A 1999 Plymouth Prowler, VIN 1P3EW65G7XV501090; Iowa license plate PRWLN4U;

- e. A 1999 Plymouth Prowler, VIN 1P3EW65G6XV502022; Iowa license plate 992TLO;
- f. A 1999 Jeep Grand Cherokee, VIN IJ4GW68N5XC687852; Iowa license plate PAIN;
- g. A 2003 Ford F150 pick-up, VIN 2FTRX18L03CA12296; Nebraska license plate PZY604;
- h. \$3,140.00, cash seized from the residence of RICHARD COSTANZO, 1013 Shoal Pointe Drive, Carter Lake, IA, on or about November 24, 2009.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on September 14, 2011, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on November 18, 2011 (Filing No. 272).

3. By Order of this Court dated April 13, 2012 (Filing No. 316), the 2008 Nissan Altima, VIN 1N4BL21E88N489001, the vehicle listed in paragraph 1c, above, has been returned to Nicole Costanzo, Petitioner and titleholder, pursuant to a Joint Motion for Settlement Order (Filing No. 315) between Ms. Costanzo and the United States.

4. The Court has been advised by the United States no other Petitions have been filed. From a review of the Court file, the Court finds no other Petitions have been filed.

5. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the following properties held by any person or entity are hereby forever barred and foreclosed.

1. The real property known as Lot 13, Shoal Pointe, Carter Lake, Iowa, locally described as 1013 Shoal Pointe Drive, Carter Lake, Iowa, 51510;
2. A 2004 Cadillac Escalade, VIN 3GYEK62NX4G305559, Iowa license plate MOB MAN;
3. A 1999 Plymouth Prowler, VIN 1P3EW65G7XV501090; Iowa license plate PRWLN4U;
4. A 1999 Plymouth Prowler, VIN 1P3EW65G6XV502022; Iowa license plate 992TLO;
5. A 1999 Jeep Grand Cherokee, VIN IJ4GW68N5XC687852; Iowa license plate PAIN;
6. A 2003 Ford F150 pick-up, VIN 2FTRX18L03CA12296; Nebraska license plate PZY604;
7. \$3,140.00, cash seized from the residence of RICHARD COSTANZO, 1013 Shoal Pointe Drive, Carter Lake, IA, on or about November 24, 2009.

C. The aforementioned properties be, and the same hereby are, forfeited to the United States of America.

D. The United States is directed to dispose of said properties in accordance with law.

DATED this 16th day of April, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Court Judge